

UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
Idaho State Office  
1387 South Vinnell Way  
Boise, Idaho 83709-1657

In Reply Refer To:  
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November 5, 2008

EMS TRANSMISSION: 11/5/2008  
Instruction Memorandum No. ID-2009-005  
Expires: 09/30/2010

To: ILT/IMF  
Attn: Fire Management Officers  
FOIA Field Coordinators

From: State Director

Subject: Freedom of Information Act (FOIA) Requests for Records Relating to Fire Incidents

**Program Area:** Public Access to Bureau of Land Management (BLM) Information and Fire Records Management

**Purpose:** The purpose of this Instruction Memorandum (IM) is to ensure that fire incident records are maintained at the highest standard of integrity and trustworthiness, while following the requirements for availability of these records for the public.

**Policy/Action:** Fire incident records are not open to the public because they may contain information we protect under one or more of the exemptions defined in the FOIA (5 U.S.C. 552(b)). A FOIA request is required to obtain copies of records for any fire incident unless a redacted copy is already posted to the BLM Internet. All requests for fire records must be sent through the local and/or State FOIA Coordinator for processing, as there is a high possibility that the records contain privacy and other sensitive data.

Employees must also be aware that, until a fire investigation is complete, no records related to that particular incident will be released, even when a FOIA request is submitted. It may be helpful to explain to callers (or visitors) that they should wait until the investigation is complete to submit their request.

File custodians must ensure that incident records and the information contained therein are safeguarded throughout the life cycle management process. These records must be locked in cabinets or other secure areas labeled with yellow placards "WARNING – ACCESS TO THESE RECORDS IS LIMITED TO AUTHORIZED PERSONNEL." The labels can be obtained from the local or State FOIA Coordinators or Records Managers.

**Timeframe:** This policy is effective immediately and supersedes IM No. ID-2007-053.

**Background:** Idaho BLM receives numerous FOIA requests for fire records each year. Most firefighting incidents generate records that contain some sensitive information. Under the FOIA, it is important to remember that “release to one is release to all.” Once a record is in the public domain, it cannot be protected under the FOIA.

**Manual/Handbook Sections Affected:** This IM serves as interim guidance to Idaho BLM Manual Supplement 1278, External Access to BLM Information, until it is updated.

**Coordination:** This IM was coordinated through the State Chief Information Officer, State Records Administrator, and State Fire Management Officer.

**Contact:** For more information concerning the FOIA or this IM, call Gloria Van Noy, State FOIA/Privacy Act Coordinator, at (208) 373-3947.

**Boise District with Union:** Management is reminded to notify and satisfy any bargaining requirements prior to implementation.

Signed  
Thomas H. Dyer

Authenticated  
Shellie Hartsock  
Records Management Specialist